Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Jayrene B Nielsen Sevier County Recorder Page 1 of 9 07/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE 0 我们是在最近的年代中央的中央的企业的。10年度10年代的第二年度10月1日日

### THE STATE OF UTAH

## TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 352g Joe Town Pit Road; County Road Number: 6455; State Geographic Information Database (SGID) Road Identification Number: RD210074.

This document supplements and supports the information contained in the document first recorded at Doc# 00344668, Bk 0561, Beg Pg 0403, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352483 Bk 0591, Beg Pg 0618. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of , 2008.

By the Governor's Designee

CERTIFICATION

State of Utah County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg

Dated this 25th day of fune, 200 8.

Panela Z. Blacklan

Notary Public

## **Exhibit A**

DOC # 00354977

Affidavits B: 0603 P: 0092

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# AFFIDAVIT OF SAM WARE JOE TOWN PIT ROAD SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6455

State of Utah	)
	: ss
County of Sevier	)

SAM WARE, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Monroe, Sevier County, Utah. I have lived in Sevier County most of my life since 1937.
- 2. I have traveled and am familiar with a road in Sevier County known as the Joe Town Pit Road (County Road Number 6455). I am also familiar with the land the road traverses. When I first observed the road in the 1960's, it followed the same route as in the 2006 when I last observed it. Attached is a Sevier County map showing the Joe Town Pit Road (County Road Number 6455). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1960's and continuing through 1976 to the 1980's.

  Throughout this time period I have observed travel on the road by various means, including trucks and trailers. Throughout this time period, the road has been used often.
- 5. Throughout the time period from the 1960's to the 1980's, I have used the road myself for target shooting.

DOC # 003549/ Affidavits B: 0603 P: 0093 Jayrene B Nielsen Sevier County Recorder Page 3 of 9 07/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE (

- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Government access and accessing the gravel pit.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1960's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
  - 8. Prior to 1976, I observed the graded surface of the road.

    DATED this //6<sup>th</sup> day of November, 2006.

SAM WARE

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_\_\_ day of November, 2006.

Notary Public GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Ylono Schrales NOTARY PUBLIC

DOC # 00354977

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2h ĵ ß 6455 - JOE TOWN PIT ROAD - RED BLM Ownership - Yellow DOC # 00354977

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Class "B" Maintained Roads - Blue

SEVIER COUNTY RS2477 October 18, 2006

## AFFIDAVIT OF FRED PETERSON JOE TOWN PIT ROAD SEVIER COUNTY, UTAH

## **COUNTY ROAD NUMBER 6455**

State of Utah	)	
	:	SS.
County of Sevier	)	

FRED PETERSON being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Joseph, Sevier County, Utah. I have lived in Sevier County since 1962.
- 2. I have traveled and am familiar with a road in Sevier County known as the Joe Town Pit Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1963, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Joe Town Pit Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1963 and continuing through 1976 to 2006.

  During this time period I have observed travel on the road by various means, pickups, and horses.

  During this time period, the road has been used weekly.
- 5. During the time period from 1963 to 2006, I have used the road myself for the following uses: Hunting and recreation.



6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Recreation, hunting, and access to the dump.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1963 and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

DATED this \_\_\_\_\_\_ day of November, 2006.

FRED PETERSON

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of November, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

DOC # 00354977

Affidavits B: 0603 P: 0097

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0 ĵ B CP. SEVIER COUNTY RS2477 October 18, 2006 <u>~</u> 6455 - JOE TOWN PIT ROAD - RED Class "B" Maintained Roads - Blue BLM Ownership - Yellow DOC # 00354977

Affidavits B: 0603 P: 0098

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## Exhibit B

## Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 352g Joe Town Pit Road

County: Sevier

County Road Number: 6455

State Geographic Information Database (SGID) Road Identification Number: RD210074.

Total Road Length: 0.11 miles more or less.

**Beginning at a point** on the road centerline located at 38 degrees 37 minutes 57.65 seconds North Latitude and -112 degrees 10 minutes 35.67 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,447,118.4 feet and Y = 6,671,435.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 38 minutes 01.78 seconds North Latitude and -112 degrees 10 minutes 30.93 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,447,497.9 feet and Y = 6,671,851.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 3 West, Section(s) 7, Salt Lake Base & Meridian

DOC # 00354977

Affidavits B: 0603 P: 0099

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